

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

*** ARIZONA BIOSCIENCE DAY ***

[M12-358]

WHEREAS, bioscience is one of the fastest growing sectors of Arizona's economy, providing economic development and employment opportunities across our state; and

WHEREAS, bioscience research is leading to the availability of new medical treatments for citizens of Arizona and beyond; and

WHEREAS, researchers, entrepreneurs and business and government leaders from across Arizona are working cooperatively to develop and commercialize new advancements in healthcare, energy and agriculture for the benefit of Arizonans and the world; and

WHEREAS, Arizona researchers have been awarded millions of dollars in government and private grants to further their work, and businesses have raised millions of dollars in investment capital to commercialize that research; and

WHEREAS, on October 23, 2012, the Arizona BioIndustry Association will assemble this vibrant community to celebrate the achievements of Arizona's Bioscience leaders and the companies and individuals who are fueling Arizona's bioscience growth.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 23, 2012 as

*** ARIZONA BIOSCIENCE DAY ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twentieth day of September in the year Two Thousand Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA CONSTRUCTION CAREER DAYS ***

[M12-354]

WHEREAS, the mission of the Association for Construction Career Development (ACCD), a 501(c)(3) organization, is to support and promote the construction industry through education and employment; and

WHEREAS, the Arizona Construction Career Days (AzCCD) event reaches out to high school students throughout the State of Arizona to give them hands-on construction experience, and offers a workforce development tool to support the pipeline that will provide the professionals of tomorrow; and

WHEREAS, the AzCCD event that began as a partnership between Federal Highway Administration and the National Association of Women in Construction, has grown to incorporate several entities, including the Army National Guard, the Arizona Department of Transportation, Federal Highway Administration, Associated General Contractors of America, and the Arizona Department of Education; and

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WHEREAS, the AzCCD venue is designed to attract a new generation and assure the legacy of those who came before; and

WHEREAS, the AzCCD event is a collaboration of industry leaders coming together to support the creation of a highly qualified workforce required for Arizona's economy to move forward; and

WHEREAS, the U.S. Bureau of Labor statistics has reported that the construction industry, which currently employs 7 million people, needs to attract new workers each year to replace workers retiring or leaving the industry, and that approximately 60 percent of all new jobs in the 21st century will require skills possessed by only 20 percent of the existing workforce.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 4 - 5, 2012 as

*** ARIZONA CONSTRUCTION CAREER DAYS ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this tenth day of September in the year Two Thousand Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA HOME HEALTH CARE MONTH ***

[M12-351]

WHEREAS, delivering quality home health care and useful comparison information to consumers is a high priority at the federal level and in Arizona; and

WHEREAS, home health quality measures are available at both the national and state levels to help consumers choose a home health agency; and

WHEREAS, Arizona home health agencies continually engage in quality improvement efforts and offer cost-efficient skilled nursing care and therapy services to patients in their own homes; and

WHEREAS, Arizona home health providers, health care organizations, state agencies, consumer advocates, community-based organizations have formed a strong, collaborative partnership in support of improving quality of care; and

WHEREAS, each November, National Home Care Month is celebrated to honor caregivers who make a remarkable difference in the lives of the patients and families they serve.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 2012 as

*** ARIZONA HOME HEALTH CARE MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this tenth day of September in the year Two Thousand Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

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*** ARIZONA HOSPICE & PALLIATIVE CARE MONTH ***

[M12-352]

WHEREAS, hospice and palliative care provides patients and families high quality care during life-limiting illness and at the end of life, through pain management and symptom control, caregiver training and assistance, and emotional and spiritual support; and

WHEREAS, hospice and palliative care allows patients to live fully until the final moments, surrounded and supported by the faces of loved ones, friends, and committed caregivers; and

WHEREAS, numerous Arizonans living with a life-limiting illness, and their families, have received care from hospice and palliative care programs in communities throughout Arizona; and

WHEREAS, professional and compassionate hospice staff, including physicians, nurses, social workers, therapists, counselors, health aides, volunteers, and clergy provide comprehensive care focused on the wishes of each individual patient; and

WHEREAS, providing high-quality hospice and palliative care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care; and

WHEREAS, hospice and palliative care providers encourage all people to learn more about options for care and to share their wishes with family, loved ones, and their healthcare professionals.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 2012 as

*** ARIZONA HOSPICE & PALLIATIVE CARE MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this tenth day of September in the year Two Thousand Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

*** DISABILITY EMPLOYMENT AWARENESS MONTH ***

[M12-353]

WHEREAS, National Disability Employment Awareness is celebrated October of each year; and

WHEREAS, since 1945, the United States has recognized the importance of offering employment to persons with disabilities and celebrating efforts annually; and

WHEREAS, current data shows that hiring persons with developmental disabilities in Arizona benefits employers by building a diverse workforce while offering employment to persons with disabilities who in turn are proficient, productive and efficient; and

WHEREAS, Arizona employers who have recognized the significant value in hiring employees with disabilities are not only providing competitive wages and benefits, but are also helping the employee to become a full and active member of the community.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim October 2012 as

*** DISABILITY EMPLOYMENT AWARENESS MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

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Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this tenth day of September in the year Two Thousand Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-seventh.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2012-03

State Regulatory Review, Moratorium and Streamlining To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2014, as a notice to the public regarding state agencies' rulemaking activities.

[M12-226]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent any additional burdens on Arizona's private sector employers and political subdivisions; and

WHEREAS, this rule making review and moratorium process has continued by session law or executive order to this day; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, Arizona's efforts are being rewarded, such as being ranked as one of the top ten best states for business in a survey of chief executive officers this year, the eighth best for job growth in the last year, and the top state for innovators starting new business; and

WHEREAS, last January, I determined that State agencies needed to quicken the pace on streamlining existing rules and reducing wasted time in regulatory processes to increase Arizona's economic competitiveness and job creation, while still protecting public health, safety and the environment; and

WHEREAS, the 50th Legislature passed and I signed into law House Bill 2744 (2012 Arizona Laws, Chapter 352) which permits a state agency to conduct expedited rulemaking to streamline existing rules; and

WHEREAS, this expedited rulemaking authority will be used, in part, by State agencies to implement the "lean" waste reduction initiative I announced last January to increase the efficiency and service quality of State agencies; and

WHEREAS, I encourage the general public and regulated community to bring forward ideas to State agencies and the Governor's Regulatory Review Council on what rules need to be streamlined and how that can be best achieved while still protecting public health, safety and the environment; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2012.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State hereby declare the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is to eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rulemaking action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2014 or is necessary under subparagraph (c) of this paragraph.

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- f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
- g. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
- h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the Corporation Commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making process.
6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the office of the Governor by July 31, 2012 all pending and anticipated rule making requests. Beginning fiscal year 2013 all state agencies shall submit to the Office of the Governor by the end of each fiscal year an annual report of all pending and anticipated rule making to Office of the Governor.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, "person," "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.
9. This Executive Order expires on December 31, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 26th day of June in the year Two Thousand Twelve and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State